

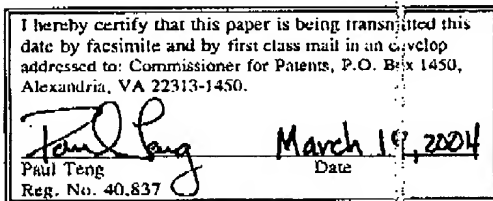
Dkt. 2271/66642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Hideyuki YAMAGUCHI et al.

Serial No. : 10/031,738 Art Unit : 1773
Filed : January 22, 2002 Examiner : Leszek B. Kiliman
For : MULTI-LAYER PAPER PEELABLE INTO AT LEAST TWO TISSUE SHEETS
Conf. No. : 8679 Class-Subclass : 428-195000

Last Issue Fee Due Date: February 5, 2004



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SECOND COMMUNICATION RE NOTICE OF ALLOWABILITY

Sir:

On December 29, 2003, Applicants filed a Communication Re Notice of Allowability in order to (1) preserve for the record the information communicated orally during a telephone conference on December 11, 2003 between Examiner Leszek Kiliman of the U.S. Patent and Trademark Office (PTO) and Ms. Joanne Rhee of the undersigned's office, and (2) request a copy of the Notice of Allowability which Examiner Kiliman indicated had been issued by the PTO and had not been received by Applicants.

It is Applicants' understanding and belief that in a follow-up telephone conference on January 18, 2004, Examiner Kiliman advised Ms. Rhee that the December 29, 2003 Communication filed by Applicants was received by the PTO on December 31, 2003, but he did not have the physical file. The Examiner also stated to Ms. Rhee that as soon as he received the application file, he would issue a Supplemental Notice of Allowability.

It is also Applicants' understanding and belief that in a telephone conference between Examiner Kiliman and Ms. Rhee on February 5, 2004, Ms. Rhee pointed out that the issue fee and publication fee for the application were due on that day, and the Examiner advised Ms. Rhee that he

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would issue a new Notice of Allowability and new Notice of Allowance on that day and therefore Applicants need not pay the issue and publication fees due that day.

In reliance on the Examiner's reassurances, Applicants did not pay the issue and publication fees by the February 5, 2004 due date.

It is Applicants' understanding and belief that in a follow-up telephone conference between Ms. Rhee and Examiner Kiliman on February 12, 2004, the Examiner stated that he would be acting on the application on that day.

It is also Applicants' understanding and belief that Ms. Rhee placed follow-up telephone calls to Examiner Kiliman on February 18, 2004 and February 23, 2004 and left respective messages on the Examiner's voicemail.


It is Applicants' understanding and belief that in a follow-up telephone conference between Examiner Kiliman and Ms. Rhee on February 24, 2004, the Examiner stated that a Communication was mailed by the USPTO to the undersigned's office on February 13, 2004 and that Applicants should call back after two or three days if Applicants did not receive the Communication by then. The February 13, 2004 Communication was never received by the undersigned's office.

It is also Applicants' understanding and belief that in a telephone conference between Examiner Kiliman and Ms. Rhee on March 4, 2004, the Examiner advised that he spoke to a clerk supervisor at the PTO and "everything would be taken care of."

To date, the undersigned's office has not received the February 13, 2004 communication purportedly mailed by the PTO nor a second Notice of Allowance or a Notice of Allowability from the PTO.

Applicants hereby confirm that they have no intention of abandoning the application, and again respectfully request that a Notice of Allowability and Notice of Allowance be reissued in order to reset the period for payment of the issue and publication fees, as Examiner Kiliman repeatedly reassured Applicants would occur.

Respectfully submitted,


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